



U.S. Department of  
Transportation

Office of the Secretary  
of Transportation

DOCUMENTARY SERVICE DIVISION  
Washington, D.C. 20590

96-39

Weekly Summary of Orders and  
Regulations

SEPTEMBER 16 - SEPTEMBER 20, 1996

Order	Docket	Summary	Date Action Taken
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(#) Published in the Federal Register.

96-9-18	48388	IN THE MATTER OF THE CANCELLATION OF THE FOREIGN CHARTER CERTIFICATE ISSUED TO CAPITOL AIR EXPRESS, INC. IN ACCORDANCE WITH SECTION 204.7 OF THE DEPARTMENT'S REGULATIONS: The Department cancels the certificate of public convenience and necessity issued by Order 93-2-39 to Capitol Air Express, Inc., authorizing it to conduct foreign charter air transportation. Served 9-19-96	9-13-96
96-9-19	OST-96-1600	IN THE MATTER OF EXPANDED CARGO TRANSFER FLEXIBILITY AT ALASKA INTERNATIONAL AIRPORTS: The Department tentatively finds that it is consistent with the public interest to grant certain blanket authority to foreign air carriers under 49 U.S.C. 41301 to conduct expanded cargo transfer activities at international airports in the State of Alaska Served 9-20-96.	9-16-96
96-9-20	OST-96-1715 41291	ESSENTIAL AIR SERVICE AT HASTINGS AND KEARNEY, NEBRASKA UNDER 49 U.S.C. 41731 ET SEQ.: The Department requests that carriers interested in providing essential air service at Hastings and/or Kearney, Nebraska, submit their proposals, with subsidy requests	9-17-96

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if necessary, within 20 days after the date of service of this order. Proposals should

96-9-20	OST-96-1715 41291	continued..... include all the data required by section 204.4 of the Department's Regulations (14 CFR 204.4). An original and five copies of the proposal should be sent to the EAS & Domestic Analysis Division, X-53, Office of Aviation Analysis, Room 6401, Department of Transportation, 400 - 7th Street, S.W., Washington, D.C. 20590, with the title, "Proposal to Provide Essential Air Service at Hastings and/or Kearney, Nebraska, Docket OST-96-1715. Served 9-24-96	9-17-96
96-9-21	47458	SMALL COMMUNITY AIR SERVICE AT FERGUS FALLS, MINNESOTA UNDER SECTION 48 U.S.C. The Department requests proposals from all carriers interested in providing small community air service at Fergus Falls, Minnesota. Served 9/23/96	9-18-96
96-9-22	OST-96-1548	APPLICATION OF VALUJET AIRLINES, INC. FOR A REDETERMINATION OF ITS FITNESS AND AN EXEMPTION FROM THE 45-DAY NOTICE REQUIREMENTS OF 14 CFR 204.7: The Department amends Order 96-9-8 as follows: 1. In the Projected Operating Statistics Schedule of Confidential Exhibit 5, the Department denies confidentiality for 1998 data only for "average aircraft in schedule," which is the same treatment accorded for July to December 1996 and for 1997. 2. For the period September 1996 to August 1997, the Department grants confidentiality	9-18-96

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to the forecast cash flow statements in  
Confidential Exhibit 5.  
continued.....

96-9-22	OST-96-1548	<p>continued.....</p> <p>3. The Department grants confidential treatment to the forecast balance sheets for the 4th quarter of 1996, and 1st and 2nd quarters of 1997 in Confidential Exhibit 5. Except as specifically set out above or set out in the Appendix to Order 96-9-8, the earlier decision with respect to all other items for which Valujet requested reconsideration remains unchanged. Served 9-18-96</p>	9-18-96
96-9-22	OST-96-1548	<p>ERRATUM.....</p> <p>Paragraph number 2, on page 1 of Order 6-9-22, contains an incorrect date. Paragraph number 2 should read as follows:</p> <p>2. For the period July 1996 to August 1997, grants confidentiality to the forecast cash flow statements in Confidential Exhibit 5.</p> <p>Served 9-25-96</p>	9-25-96
96-9-23	OST-96-1247	<p>ESSENTIAL AIR SERVICE AT STERLING/ROCK FALLS, ILLINOIS UNDER U.S.C. 41731 ET SEQ.:</p> <p>The Department requires Great Lakes Aviation Ltd., d/b/a United Express, to maintain essential air service at Sterling/Rock Falls, Illinois, as set forth in Appendix C of Order 96-6-16, for an additional 30-day period through November 6, 1996, or until a carrier capable of providing reliable replacement service actually begins service, whichever is first. Served 9-24-96</p>	9-18-96
96-9-24	OST-95-371	<p>ESSENTIAL AIR SERVICE AT</p>	9-18-96

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TUSCALOOSA, ALABAMA UNDER 49  
U.S.C. 41731 ET SEQ.:

The Department requires Flagship Airlines,  
Inc., d/b/a American Eagle, to maintain  
continued.....

96-9-24	OST-95-371	continued..... essential air service at Tuscaloosa, Alabama, as set forth in the Appendix of order 96-8- 13, for an additional 30-day period through November 4, 1996, or until a carrier capable of providing reliable replacement service actually begins service, whichever is first. Served 9-24-96	9-18-96
96-9-25	OST-96-1211 OST-96-1588	APPLICATIONS OF PAN AMERICAN AIRWAYS, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER U.S.C. 41102 TO ENGAGE IN INTERSTATE SCHEDULED AIR TRANSPORTATION OF PERSONS, PROPERTY, AND MAIL AND FOR A WAIVER OF THE PRE-SALE PROVISIONS OF 14 CFR 201.5: The Department finalizes the tentative findings and conclusions stated in Order to Show Cause 96-8-25 that Pan American Airways, Inc. ("Pan Am") is a citizen of the United States, and is fit, willing, and able to provide interstate scheduled air transportation, and issues to it a certificate of public convenience and necessity authorizing such operations. Dismisses as moot its request in Docket OST-96-1588 for a waiver of the pre-sale rules. Served 9-19-96	9-18-96
96-9-26	OST-96-1618 OST-96-1655	APPLICATION OF UNITED AIR LINES, INC. FOR RENEWAL OF FREQUENCIES UNDER THE UNITED STATES-	9-19-96

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PHILIPPINES AIR TRANSPORT  
SERVICES AGREEMENT (ROUTE 2):  
continued.....

96-9-26	OST-96-1618 OST-96-1655	APPLICATION OF NORTHWEST AIRLINES, INC. FOR REALLOCATION OF FREQUENCIES UNDER THE UNITED STATES-PHILIPPINES AIR TRANSPORT SERVICES AGREEMENT (ROUTE 2): The Department renews seven of United Air Lines' allocation of ten weekly frequencies in the U.S.-Philippines market for a two-year period. In addition, the Department tentatively renews United Air Lines' allocation of the remaining three frequencies. Permits Northwest to use temporarily three of United's frequencies through February 28, 1997, at which time United proposes to use them for a new all-cargo scheduled service. Served 9-19-96	9-19-96
96-9-27	OST-95-662	APPLICATION OF JAPAN AIR LINES COMPANY, LTD. FOR AN EXEMPTION UNDER 49 U.S.C. SECTION 40109: The Department grants Japan Air Lines Company, Ltd. (JAL), a foreign air carrier of Japan, an exemption to conduct scheduled combination services between Sendai, Japan, and Honolulu, Hawaii, at a level of seven round-trip flights per week during the period September 21-October 26, 1996, and three round-trip flights per week during the	9-19-96

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period October 27, 1996, through March 14, 1997. Served 9-19-96

96-9-28	OST-95-736 OST-96-1614 50009 OST-96-1433 (48888) OST-96-1598 UNDOC'D OST-96-1539 OST-96-1540 OST-96-1568 OST-95-556 UNDOC'D OST-96-1560 UNDOC'D	APPLICATIONS OF AMERICA WEST AIRLINES, INC., AMERICAN AIRLINES, INC., CHALLENGE AIR CARGO, INC., DELTA AIR LINES, INC., DELTA AIR LINES, INC. AND AUSTRIAN AIRLINES/SABENA BELGIAN WORLD AIRLINES/SWISS AIR TRANSPORT COMPANY, LTD., FINE AIRLINES, INC., POLAR AIR CARGO, INC., UNITED AIR LINES, INC., AND CAYMAN AIRWAYS, LTD., UNITED AIR LINES, INC., AND LUFTHANSA GERMAN AIRLINES FOR EXEMPTIONS OR AUTHORITIES UNDER 49 U.S.C. SECTION 40109 AND THE ORDERS AND REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION: The Department confirms the actions described in the attached Notices of Action Taken, which granted certain U.S. and foreign air carriers (1) exemptions from the provisions of Sections 41101 and 41301, and where necessary 41504, or as noted in the attached notices, other sections of Title 49 U.S.C.; or (2) relief or authorizations as provided for under regulations or orders of the Department, to the applicants to perform the operations described in the attached Notices of Action Taken. Served 9/25/96	9-19-96
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Order	Docket	Summary	Date Action Taken
96-9-29	OST-96-1185	APPLICATION OF VISION AIR, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER 49 U.S.C. 41102 TO ENGAGE IN FOREIGN SCHEDULED AIR TRANSPORTATION OF PERSONS, PROPERTY, AND MAIL: The Department tentatively concludes that Vision Air, Inc., is fit, willing, and able to	9-19-96
96-9-29	OST-96-1185	continued..... provide foreign scheduled air transportation of persons, property, and mail as a certificated air carrier. Served 9-19-96	9-19-96
96-9-30	OST-96-1298 OST-96-1299	APPLICATIONS OF GEMINI AIR CARGO L.L.C. FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER 49 U.S.C. 41102 TO ENGAGE IN INTERSTATE AND FOREIGN SCHEDULED AIR TRANSPORTATION OF PROPERTY AND MAIL: The Department tentatively concludes that Gemini Air Cargo, L.L.C., is a citizen of the United States. and is fit, willing, and able to provide interstate and foreign scheduled air transportation of property and mail, and should be issued certificates of public convenience and necessity for such operations. Served 9/23/96	9-23-96
96-9-31	OST-96-1400	APPLICATION OF MAVERICK AIRWAYS CORPORATION FOR A	

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CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY  
UNDER 49 U.S.C. 41102 TO ENGAGE IN  
INTERSTATE SCHEDULED AIR  
TRANSPORTATION OF PERSONS,  
PROPERTY, AND MAIL:

The Department finds that Maverick  
Airways Corporation is fit, willing, and able  
to engage in interstate scheduled air  
transportation of persons, property, and  
mail. Served 9-24-96